APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,981	12/30/2003	Mikko Jaakkola	KOLS.080PA	8840

7590   05/12/2006

Hollingsworth & Funk, LLC
8009 34th Avenue South, Suite 125
Minneapolis, MN 55425

EXAMINER
NGUYEN, KHAI MINH

ART UNIT	PAPER NUMBER
2617	

DATE MAILED: 05/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/748,981	JAAKKOLA ET AL.
	Examiner	Art Unit	
	Khai M. Nguyen	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>08 February 2006.</u>
2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-17</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-17</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 17 is rejected under 35 U.S.C. 101 because Data structures not claimed as embodied in computer-readable media are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by De Beer (U.S.Pub-20050101323).

Regarding claim 1, De Beer teaches a method for arranging handover in a wireless telecommunications system (abstract), the method comprising

storing in a terminal connection settings (fig.1, SIM 10, paragraph 0033),

wherein a network identifier is associated with at least some of the alternative

connection settings (fig.6, paragraph 0056-0059), the network identifier identifying a

target network reachable by a connection from the terminal (fig.6, paragraph 0056-

0059),

comparing (paragraph 0058), in the terminal (paragraph 0058), the current

network identifier associated with the currently applied at least one connection setting to

the stored network identifier associated with at least one other available connection

setting (fig.6, paragraph 0056-0059),

selecting at least one connection setting associated with the same network

identifier as the network identifier associated with the currently applied at least one

connection setting (fig.6, paragraph 0056-0059, 0063), and

carrying out handover by using the selected at least one connection setting (fig.6,

paragraph 0056-0059, 0063).

Regarding claim 2, De Beer teaches the method according to claim 1, wherein

the network identifier of the at least one other available connection setting is checked in

response to a need to arrange handover for the original connection based on the

currently applied at least one connection setting (fig.6, paragraph 0056-0059, 0063).

Regarding claim 3, De Beer teaches the method according to claim 2, wherein at

least one other available connection setting associated with a different network identifier

than the one associated with the at least one currently applied connection setting is

dropped (fig.7, paragraph 0067-0068), and a handover algorithm is executed for the

remaining connection settings (fig.6, paragraph 0056-0059).

Regarding claim 4, De Beer teaches the method according to claim 1, wherein at

least one other available connection setting associated with a different network identifier

than the one associated with the at least one currently applied connection setting is

dropped (fig.7, paragraph 0067-0068), and

a handover algorithm is executed for the remaining connection settings (fig.6,

paragraph 0056-0059).

Regarding claim 5, De Beer teaches the method according to claim 1, wherein

the network identifier associated with at least one connection setting selected by a

handover algorithm is checked (fig.6, paragraph 0056-0059, 0063), and

handover is carried out using the selected at least one connection setting if the

network identifier is the same as the network identifier associated with the currently

applied at least one connection setting (fig.6, paragraph 0056-0059, 0063), or

at least one new connection setting is selected (fig.7, paragraph 0067-0068).

Regarding claim 6, De Beer teaches the method according to claim 1, wherein at

least one network identifier is defined internally in the terminal and associated with at

least one connection setting (fig.6, paragraph 0056-0059).

Regarding claim 7, De Beer teaches the method according to claim 1, wherein

the connection setting are grouped as alternative groups of connection setting such that

at least one network identifier is associated with each group (fig.7, paragraph 0067-0068), the network identifiers of different groups are compared with the network identifier associated (fig.6, paragraph 0056-0059) with the network identifier as associated with the currently applied at least on connection setting for the new connection (fig.7, paragraph 0067-0068).

Regarding claim 8, De Beer teaches the method according to claim 1, wherein the at least one available connection setting is determined based on information received from the network (fig.6, paragraph 0056-0059, 0062-0063).

Regarding claim 9, De Beer teaches a wireless terminal comprising means for establishing access with a wireless network (abstract), wherein

the terminal is configured to store connection settings (fig.1, SIM 10, paragraph 0033), wherein a network identifier is associated with at least some of the alternative connection settings (fig.6, paragraph 0056-0059), the network identifier identifying a target network reachable by a connection from the terminal (fig.6, paragraph 0056-0059),

the terminal is configured to compare the current network identifier associated with the currently applied at least one connection setting to the stored network identifier associated with at least one other available connection setting (fig.6, paragraph 0056-0059),

the terminal is configured to select at least one connection setting associated

with the same network identifier as the network identifier associated with the currently

applied at least one connection setting (fig.6, paragraph 0056-0059, 0063), and

the terminal is configured to carry out handover by using the selected at least

one connection setting (fig.6, paragraph 0056-0059, 0063).

Regarding claim 10, De Beer teaches the terminal according to claim 9, wherein

the terminal is configured to check the network identifier of the at least one other

available connection setting in response to a need to arrange handover for the original

connection based on the currently applied at least one connection setting (fig.6,

paragraph 0056-0059).

Regarding claim 11, De Beer teaches the terminal according to claim 10, wherein

the terminal is configured to drop at least one other available connection setting

associated with a different network identifier than the one associated with the at least

one currently applied connection setting (fig.7, paragraph 0067-0068), and

the terminal is configured to execute a handover algorithm for the remaining

connection settings (fig.6, paragraph 0056-0059).

Regarding claim 12, De Beer teaches the terminal according to claim 9, wherein

the terminal is configured to drop at least one other available connection setting

associated with a different network identifier than the one associated with the at least

one currently applied connection setting (fig.7, paragraph 0067-0068), and the terminal

is configured to execute a handover algorithm for the remaining connection settings (fig.6, paragraph 0056-0059).

Regarding claim 13, De Beer teaches the terminal according to claim 9, wherein the terminal is configured to check the network identifier associated with at least one connection setting selected by a handover algorithm (fig.6, paragraph 0056-0059), and the terminal is configured to carry out the handover using the selected at least one connection setting if the network identifier is the same as the network identifier associated with the currently applied at least one connection setting (fig.6, paragraph 0056-0059), or

the terminal is configured to select at least one new connection setting (fig.7, paragraph 0067-0068).

Regarding claim 14, De Beer teaches the terminal according to claim 9, wherein the terminal is configured to define at least one network identifier internally and the terminal is configured to associate the network identifier with at least one connection setting (fig.6, paragraph 0056-0059, 0062-0063).

Regarding claim 15, De Beer teaches the terminal according to claim 9, wherein the connection setting are grouped as alternative groups of connection setting, and at least one network identifier is associated with each group (fig.6, paragraph 0056-0059, 0063), whereby the terminal is configured to compare the network identifiers of different groups with the network identifier associated with the currently applied at lest one connection setting (fig.6, paragraph 0056-0059, 0067-0068),

The terminal is configured to select for the new connection one of the groups having the same network identifier as associated with the currently applied at least one new connection setting is selected (fig.7, paragraph 0067-0068).

Regarding claim 16, De Beer teaches the terminal according to claim 9, wherein the terminal is configured to determine the available at least one connection setting based on information received from the network (fig.6, paragraph 0056-0059, 0062-0063).

Regarding claim 17, De Beer teaches a computer program product for controlling the wireless terminal in response to executing a program code included in the computer software product in a processor of the terminal (abstract), wherein the computer software product comprises

a program code portion for controlling the terminal to store connection settings (fig.1, SIM 10, paragraph 0033), wherein a network identifier is associated with at least some of the alternative connection settings (fig.6, paragraph 0056-0059, 0062-0063), the network identifier identifying a target network reachable by a connection from the terminal (fig.6, paragraph 0056-0059, 0062-0063),

a program code portion for controlling the terminal to compare the current network identifier associated with the currently applied at least one connection setting to the stored network identifier associated with at least one available other connection setting (fig.6, paragraph 0056-0059, 0062-0063),

a program code portion for controlling the terminal to select at least one

connection setting associated with the same network identifier as the network identifier

associated with the currently applied at least one connection setting (fig.6, paragraph
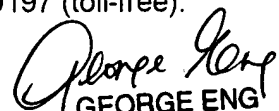
0056-0059, 0062-0063), and

a program code portion for controlling the terminal to carry out handover by using

the selected at least one connection setting (fig.6, paragraph 0056-0059, 0062-0063).

Conclusion

4.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Khai M. Nguyen whose telephone number is

571.272.7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, George Eng can be reached on 571.272.7495. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GEORGE ENG
SUPERVISORY PATENT EXAMINER

Khai Nguyen
AU: 2617   5/4/2006